

REMARKS

Initially, Applicants would like to thank the Examiner for withdrawing the previous rejections as set forth in the previous Official Action dated March 14, 2006.

Applicants would further like to thank the Examiner for indicating the allowability of claims 6-10 and 19-20. However, Applicants note that all of claims 1-20 were indicated to be rejected on the "Office Action Summary" page of the outstanding Official Action. As no rejection of claims 6-10 and 19-20 was detailed in the Official Action, and as claims 6-10 and 19-20 were specifically noted in the Official Action as containing allowable subject matter, Applicants presume that the indication on the "Office Action Summary" that claims 1-20 were rejected was erroneous. The present Response is presented with the understanding that the only rejection in the outstanding Final Official Action is the rejection of claims 1-5 and 11-18 under 35 U.S.C. §103(a) over BROOKLER (U.S. Patent Application Publication No. 2002/0007303) in view of VO et al. (U.S. Patent No. 6,795,444).

Applicants traverse the rejection of claims 1-5 and 11-18 under 35 U.S.C. §103(a) over BROOKLER in view of VO. In this regard, claim 1 recites a:

"method of collecting information, comprising...

sending an interactive text markup programming language script, using a session initiation protocol (SIP) message, to a communications device, the interactive script including at least a first query and a second query that is presented based on a response to the first query; and

receiving the response to the first query and a response to the second query from the communications device, each of the response to the first query and the response to the second query being based upon input from a user of the communications device".

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The outstanding Final Official Action asserts that BROOKLER discloses all of the features of claim 1 except for "using a session initiation protocol (SIP) message". The outstanding Final Official Action asserts that BROOKLER discloses the features of claim 1 (except for "using a session initiation protocol (SIP) message) at Figure 2, labels 38 and 48; page 1, paragraphs [0007]-[0013]; page 3, paragraphs [0044], [0047]-[0049] and [0051]; page 4, paragraph [0052]; and page 5, paragraphs [0073], [0079] and [0080].

The Final Official Action is in error. In this regard, BROOKLER is directed to a "System for Conducting Electronic Surveys". However, the cited portions of BROOKLER relating to Figure 2 are directed to "a flowchart illustrating the process by which a surveyor creates a survey" (see page 2, paragraph [0018]). Label 38 in BROOKLER is "a text area that enables the surveyor to enter a question to be posed to the user" (see paragraph [0044]), and label 48 in BROOKLER is a "step [that] enables the surveyor to specify whether a response to a particular question is mandatory" (see paragraph [0048]). The above-noted teachings relating to Figure 2 of BROOKLER do not disclose, suggest or render obvious an "interactive script including at least a first query and a second query that is presented based on a response to the first query" as recited in claim 1. The remaining portions from paragraph [0034] to paragraph [0049] are directed to the process of creating a survey, and no part of the process describes creating a "second query that is presented based on a response to the first query". The above-noted features are also not disclosed, suggested or rendered obvious at

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paragraphs [0007]-[0013], paragraphs [0051]-[0052] or paragraphs [0073] or [0079]-[0080], nor does the Official Action assert with specificity where in BROOKLER the above-noted features of claim 1 are believed to be disclosed, suggested or rendered obvious.

Additionally, VO does not disclose, suggest or render obvious "sending an interactive text markup programming language script, using a session initiation protocol (SIP) message" as recited in claim 1. In this regard, VO is applied for the generic teaching that session initiation protocol (SIP) messages are sent over the world wide web. However, the use of session initiation protocol in VO is directed to implementing a "VoIP network portion 108" (see col. 11, lines 29-35), and VO does not anywhere disclose, suggest or render obvious "sending an interactive text markup programming language script, using a session initiation protocol (SIP) message" as recited in claim 1. Accordingly, neither BROOKLER nor VO discloses, suggests or renders obvious the above-noted features recited in claim 1.

Furthermore, there is no proper motivation to modify BROOKLER with the teachings of VO. Rather, BROOKLER is directed to conducting electronic surveys, and VO is directed to implementing a VoIP network. These disparate aims of these two documents are not analogous, and the teachings of these documents are not properly combined. Accordingly, there is no proper motivation to modify BROOKLER with the teachings of VO. Rather, the only motivation to modify BROOKLER in the manner asserted in the Final Official Action is the improper motivation to obtain Applicants' claim

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1 in hindsight.

Accordingly, neither BROOKLER nor VO, whether considered alone or in any proper combination, discloses, suggests or renders obvious "sending an interactive text markup programming language script, using a session initiation protocol (SIP) message", as recited in claim 1. Further, neither BROOKLER nor VO, whether considered alone or in any proper combination, discloses, suggests or renders obvious an "interactive script including at least a first query and a second query that is presented based on a response to the first query". Accordingly, even the modification of BROOKLER with the teachings of VO would not result in the combination recited in claim 1.

Further, as described above, there is no proper motivation to modify BROOKLER with the teachings of VO. Rather, the only motivation to modify BROOKLER with the teachings of VO is the improper motivation to obtain Applicants' claimed combination in hindsight.

Accordingly, BROOKLER in view of VO does not disclose, suggest or render obvious the combination of features recited in claim 1. In this regard, if the rejection of claim 1 over BROOKLER in view of VO is maintained, Applicants respectfully request clarification as to what in BROOKLER is believed to disclose, suggest or render obvious an "interactive script including at least a first query and a second query that is presented based on a response to the first query". Further, if the rejection of claim 1 over BROOKLER in view of VO is maintained, Applicants respectfully request clarification as

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to what in VO is believed to disclose, suggest or render obvious "sending an interactive text markup programming language script, using a session initiation protocol (SIP) message".

Applicants further submit that BROOKLER in view of VO fails to disclose, suggest or render obvious at least the features of independent claim 11 that are similar to the above-noted features recited in claim 1. In this regard, claim 11 recites a "method of interactively pre-screening caller information of a user using a communications device" with features similar to those noted above with respect to claim 1, as well as additional features including the interactive text markup programming language script being sent "from an information service".

Applicants additionally submit that BROOKLER in view of VO fails to disclose, suggest or render obvious at least the features of independent claim 17 that are similar to the above-noted features recited in claim 1. In this regard, claim 17 recites a "computer readable medium for storing a computer program that controls collection of information from a user of a communications device" with segments used to perform a method similar to the method recited in claim 1.

Accordingly, Applicants submit that claims 1, 11 and 17 are separately allowable over BROOKLER in view of VO for at least the numerous reasons set forth above.

Applicants additionally submit that each of claims 2-5, 12-16 and 18 is allowable at least for depending, directly or indirectly, from an allowable independent claim, as well as for additional reasons related to their own recitations.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have explained how each of the rejected claims recites a combination not disclosed, suggested or rendered obvious by the documents applied in the outstanding Final Official Action. Accordingly, reconsideration and withdrawal of the rejection of claims 1-5, 11-16 and 17-18 is respectfully requested.

Should there be any comments regarding this Response of the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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